

The Examiner has objected to claims 4 and 42, and others because of the use of the word “cross linked” and because of the use of the word “cross linkable”. Applicant has amended the offending claims to “crosslinked” and “crosslinkable”, respectively.

The Examiner has rejected claims 4, 42, 47, 52, 57, 62, 77, 82, and 87 because of the use of the term “having”. Applicant has amended such claims by substituting the word “comprising”.

The Examiner has rejected claim 4, line 4 for vagueness and indefiniteness due to the use of the phrase “capable of”. Applicant has amended claim 4 to remove the offending language.

The Examiner has rejection claim 42, and others, owing to the fact that improper Markush language was used in the claim. Applicant has amended each of such claims by removing the word “essentially” from the claims.

The Examiner has rejected claim 42, because of the use of the phrase “providing conditions”. Applicant would state that this phrase is not vague and indefinite in that there is adequate information in the specification and especially in the examples to make a determination of what “providing conditions” means.

The Examiner has rejected claims 42 based on the use of the phrase “room temperature”. Applicant would point out to the Examiner that this phrase has common use in patents and is not vague and indefinite. Its use has been permitted by the USPTO for many years, especially in chemical patents.

The Examiner has rejected claim 42 because of the use of the phrase “by a means which does not” in the claim. The applicant notes for the Examiner that this phrase is not vague and indefinite in that skilled chemists know the type of things that interfere with crosslinking, such as extreme temperature, wrong solvents, and the like.

Turning now to the rejection of the claim 4, 42 to 66 and 77 to 91 under 35 USC 103(a) as being unpatentable over the “admitted” prior art, and specifically the rejection of claim 4, the applicant would note for the Examiner that he is misinterpreting the second full paragraph of page 5 of the specification. The Examiner takes the position that the applicants have “admitted” reinforced, laminated, composite and impregnated structures of physically crosslinked bulk and cellular polyvinyl alcohol hydrogels are known.

The paragraph states in part "...the prior art found that is related to reinforced, laminated, composite, and impregnated structures of physically cross linked, bulk and cellular polyvinyl alcohol hydrogels teach the use of polyvinyl alcohol fibrils to reinforce bulk polyvinyl alcohol hydrogels." The applicant meant "reinforced, laminated, composite, and impregnated structures of physically cross linked, bulk, cellular polyvinyl alcohol hydrogels teach the use of polyvinyl alcohol fibrils to reinforce **bulk** polyvinyl alcohol hydrogels. This means that the prior art teaches only the reinforcement of bulk polyvinyl alcohol hydrogels, not cellular polyvinyl alcohol hydrogels. Applicant is not aware of any teaching of the reinforcement of cellular hydrogels obtained by pore forming methods. If the Examiner reads this section otherwise, the applicant did not mean to have it read that way.

Turning to the rejection of the product-by-process claims 42 to 66 and 77 to 91, it should be noted for the Examiner that the process limitations set forth in the claims do show an effect on the structure of the obtained material. There are twenty-eight examples in the specification. When read carefully, it will be noted that each of the examples notes that the resultant product "failed cohesively", that is, the polymer failed before the interface between the reinforcing material and the polymer failed. This is a significant benefit of this instant invention.

The industry that was built upon the prior art polyvinyl alcohol products, that had been reinforced by prior art methods fell into obscurity because of the fact that polyvinyl alcohol products that were reinforced failed adhesively, not cohesively. Such a significant failure led to the demise of the whole industry and actually put polyvinyl alcohol products into an undesirable approach to new products and the use of polyvinyl alcohol products diminished accordingly.

Turning now to the comment by the Examiner with regard to "critical elements", the applicant disagrees with the Examiner on this issue. The applicant would suggest to the Examiner that there are no critical elements relating to a plurality of species that are missing, and would ask the Examiner to mention a few, so that the applicant can understand what the Examiner is suggesting. A careful review of the examples in the instant specification show the use of pore forming methods for the formation of the polymers of this invention, and as noted above, there is a significant effect on the

structure of the polymers as is witnessed in their ability to withstand adhesive failure. That is all that is required. To list such critical elements in the claims overshadows the need for the use of the product by process claims.

Based on the above, the applicant respectfully requests the Examiner to withdraw the objections and rejections and allow the claims to issue.

Respectfully submitted,

A handwritten signature in cursive script, reading "Robert L. McKellar". The signature is written in dark ink and is positioned above the printed name.

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